



SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2015-0003]

Privacy Act of 1974; System of Records

AGENCY: Deputy Commissioner of Budget, Finance, and Management, Social Security Administration (SSA).

ACTION: Notice of a New System of Records.

SUMMARY: In accordance with the Privacy Act, we are issuing public notice of our intent to establish a new system of records entitled, Social Security Administration Violence Evaluation and Reporting System (SSAvers) (60-0379). We are establishing SSAvers to cover information we collect about employees, contractors, and members of the public who are allegedly involved in, or witness incidents of, workplace and domestic violence.

DATES: The System of Records Notice (SORN) is applicable upon its publication in today's Federal Register, with the exception of the routine uses which are effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. We invite public comment on the routine uses or other aspects of this SORN. In accordance with 5 U.S.C. 552a(e)(4) and (e)(11), the public is given a 30-day period in which to submit comments. Therefore, please submit any comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: The public, Office of Management and Budget (OMB), and Congress may comment on this publication by writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G-401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, or through the Federal e-Rulemaking Portal at

<http://www.regulations.gov>, please reference docket number SSA-2015-0003. All comments we receive will be available for public inspection at the above address and we will post them to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Navdeep Sarai, Government Information Specialist, Privacy Implementation Division, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G-401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, telephone: (410) 965-2997, e-mail: Navdeep.Sarai@ssa.gov.

SUPPLEMENTARY INFORMATION: On April 18, 2012, the President issued the memorandum, *Establishing Policies for Addressing Domestic Violence in the Federal Workforce*, which directed the Office of Personnel Management (OPM) to issue guidance to all departments and agencies to create policy to address domestic violence, sexual assault, and stalking. Accordingly, we created the Workplace and Domestic Violence policy and program to ensure the safety of our employees. In implementing the policy and program, we collect information to record, review, investigate, and respond to allegations of workplace and domestic violence, which may include sexual assault, stalking, or other forms of violence affecting our employees and contractors.

In accordance with 5 U.S.C. 552a(r), we have provided a report to OMB and Congress on this new system of records.

Dated: May 3, 2018.

Mary Ann Zimmerman,
Acting Executive Director,
Office of Privacy and Disclosure,
Office of the General Counsel.

System Name and Number: Social Security Administration Violence Evaluation and Reporting System (SSAvers), 60-0379

Security Classification: Unclassified.

System Location:

Social Security Administration

Deputy Commissioner of Budget, Finance, and Management

Office of Security and Emergency Preparedness

Office of Emergency Management

6401 Security Boulevard

Baltimore, Maryland 21235

System Manager(s):

Social Security Administration

Deputy Commissioner of Budget, Finance, and Management

Office of Security and Emergency Preparedness

Office of Emergency Management

Workplace Violence Program Manager

6301 Security Boulevard

201 Supply Building

Baltimore, MD 21235

WDV.Administrative.Inquiries@ssa.gov

Authority for Maintenance of the System: Title VII of the Civil Rights Act of 1964;

Congressional Accountability Act of 1995; 29 U.S.C. 51, Occupational Safety and Health Act of 1970; 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and

Health Programs and Related Matters; 41 CFR 102-74, Subpart C, Conduct on Federal Property; 5 CFR 735, Employee Responsibilities and Conduct; 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch; and various other statutes related to handling incidents of workplace and domestic violence.

Purpose(s) of the System: We will use the information in this system to record, review, investigate, and respond to allegations of workplace and domestic violence affecting our employees and contractors.

Categories of Individuals Covered by the System: Individuals who are involved in alleged incidents of workplace and domestic violence, who could be witnesses, alleged offenders, alleged victims, or others involved in the alleged incident or incident response. These individuals may include, but are not limited to, SSA employees, contractors, and members of the public.

Categories of Records in the System: This system maintains information collected or generated in response to alleged incidents of workplace and domestic violence. The information may include name and contact information of individuals involved; facts and documentation related to alleged behaviors of concern, such as protective orders and alleged offender photographs; and additional documents and information related to assessing the risk of violence and the agency's response and recommendations to mitigate risks of violence.

Record Source Categories: We obtain information in this system from current and former employees and contractors; members of the public; other Federal, state, and local agencies; private entities; and other agency sources, such as the Identity Protection Program System, Identity Management System, and the Safety Management Information System, to help respond to allegations of workplace and domestic violence affecting our employees and contractors.

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses:

We will disclose records pursuant to the following routine uses, however, we will not disclose any information defined as “return or return information” under 26 U.S.C. 6103 of the Internal Revenue Code, unless authorized by statute, the Internal Revenue Service (IRS), or IRS regulations.

1. To a congressional office in response to an inquiry from that office made on behalf of, and at the request of, the subject of the record or third party acting on the subject’s behalf.
2. To the Office of the President in response to an inquiry from that office made on behalf of, and at the request of, the subject of the record or a third party acting on the subject’s behalf.
3. To the National Archives and Records Administration (NARA) under 44 U.S.C. 2904 and 2906.
4. To appropriate agencies, entities, and persons when:
 - (a) SSA suspects or has confirmed that there has been a breach of the system of records;
 - (b) SSA has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, SSA (including its information systems, programs, and operations), the Federal Government, or national security; and
 - (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connections with SSA’s efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

5. To another Federal agency or Federal entity, when SSA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in:
 - (a) responding to a suspected or confirmed breach; or
 - (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.
6. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting conditions of employment or when representing an employee regarding a domestic or workplace violence incident.
7. To the Department of Justice (DOJ), a court or other tribunal, or another party before such court or tribunal, when:
 - (a) SSA, or any component thereof; or
 - (b) any SSA employee in his/her official capacity; or
 - (c) any SSA employee in his/her individual capacity where DOJ (or SSA, where it is authorized to do so) has agreed to represent the employee; or
 - (d) the United States or any agency thereof where SSA determines the litigation is likely to affect SSA or any of its components,

is a party to the litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before the tribunal is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosures of the records to DOJ, court or other tribunal, or another party is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

8. To Federal, State and local law enforcement agencies and private security contractors, as appropriate, information necessary:
 - (a) to enable them to protect the safety of SSA employees and customers, the security of the SSA workplace, the operation of SSA facilities, or
 - (b) to assist investigations or prosecutions with respect to activities that affect such safety and security or activities that disrupt the operations of SSA facilities.
9. To the Equal Employment Opportunity Commission (EEOC or Commission) when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission.
10. To OPM, the Merit Systems Protection Board, or the Office of Special Counsel in connection with appeals, special studies, of the civil service and other merit systems, review of rules and regulations, investigations of alleged or possible prohibited practices, and other such functions promulgated in 5 U.S.C. Chapter 12, or as may be required by law.

11. To contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We disclose information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.
12. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees when they are performing work for SSA, as authorized by law, and they need access to personally identifiable information (PII) in SSA records in order to perform their assigned agency functions.
13. To any agency, person, or entity in the course of an investigation to the extent necessary to obtain information pertinent to the investigation.

Policies and Practices for Storage of Records in the System:

We will maintain records in this system in paper and electronic form.

Policies and Practices for Retrieval of Records: We will retrieve records by the names of reporters, witnesses, alleged offenders, alleged victims, Crisis Advisory Team personnel, and management officials involved in and responding to alleged incidents of workplace and domestic violence.

Policies and Practices for Retention and Disposal of Records:

These records are currently unscheduled. We retain records in accordance with NARA-approved records schedules. In accordance with NARA rules codified at 36 CFR 1225.16, we maintain unscheduled records until NARA approves an agency-specific records schedule or publishes a corresponding General Records Schedule.

Administrative, Technical, and Physical Safeguards: We retain electronic and paper files with personal identifiers in secure storage areas accessible only by our authorized employees and contractors who have a need for the information when performing their official duties. Security measures include the use of codes and profiles, personal identification number and password, and personal identification verification cards. We keep paper records in locked cabinets within secure areas, with access limited to only those employees who have an official need for access in order to perform their duties.

We annually provide our employees and contractors with appropriate security awareness training that includes reminders about the need to protect PII and the criminal penalties that apply to unauthorized access to, or disclosure of, PII (e.g., 5 U.S.C. 552a(i)(1)). Furthermore, employees and contractors with access to databases maintaining PII must sign a sanctions document annually, acknowledging their accountability for inappropriately accessing or disclosing such information.

Record Access Procedures: This system of records has been exempted from the Privacy Act's access, contesting, and notification provisions as stated below. However, individuals may submit requests for information about whether this system contains a record about them by submitting a written request to the system manager at the above address, which includes their name, Social Security number (SSN), or other information that may be in this system of records that will identify them. Individuals requesting notification of, or access to, a record by mail must include (1) a notarized statement to us to verify their identity or (2) must certify in the request that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

Individuals requesting notification of, or access to, records in person must provide their name, SSN, or other information that may be in this system of records that will identify them, as well as provide an identity document, preferably with a photograph, such as a driver's license. Individuals lacking identification documents sufficient to establish their identity must certify in writing that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

These procedures are in accordance with our regulations at 20 CFR 401.40 and 401.45.

Contesting Record Procedures: Same as record access procedures. Individuals should also reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate, or irrelevant. These procedures are in accordance with our regulations at 20 CFR 401.65(a).

Notification Procedures: Same as record access procedures. These procedures are in accordance with our regulations at 20 CFR 401.40 and 401.45.

Exemptions Promulgated for the System: This system of records has been exempted from certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in today's Federal Register.

History: None.

[FR Doc. 2018-12818 Filed: 6/13/2018 8:45 am; Publication Date: 6/14/2018]